

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. JAN 31 1977

Returned to applicant for correction. MAR 9 1977

Corrected application filed. MAR 18 1977 Map filed JAN 31 1977

The applicant. Cecil R. and May D. Martin

P. O. Box 501 of Winnemucca
Street and No. or P.O. Box No. City or Town

Nevada 89445, hereby make^s application for permission to change the
State and Zip Code No. place of use

of water heretofore appropriated under. 28407

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is. Rose Creek
Name of stream, lake or other source.

2. The amount of water to be changed. 4.0 c.f.s.
Second feet, acre feet.

3. The water to be used for. irrigation and domestic
If for stock state number and kind of animals.

4. The water heretofore used for. irrigation and domestic
If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T.34N., R.36E.,
M.D.B.M. or at a point from which the NE corner of said Section
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be
2 bears N. 21° 15' E., 3590 feet.
stated.

6. The existing point of diversion is located within.
If point of diversion is not changed, do not answer.

7. Proposed place of use. S $\frac{1}{2}$ Section 24, portions of S $\frac{1}{2}$ and SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Section
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
23, all in T35N, R36E, M.D.B.M. portions of NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$
Section 19, portions of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 18, all in
T35N, R37E, M.D.B.M. 800 acres.

8. Existing place of use. W $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 2, T34N, R36E, M.D.B.M.; S $\frac{1}{2}$ of
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
Section 24, T35N, R36E, M.D.B.M. NW $\frac{1}{4}$ and NW $\frac{1}{4}$ of NE $\frac{1}{4}$ Section 19.

S $\frac{1}{2}$ of SW $\frac{1}{4}$, and SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 18, all in T35N, R37E, M.D.B.M. "160
acres being stripped from the W $\frac{1}{2}$ of E $\frac{1}{2}$ Section 2, T34N, R36E, M.D.B.M.

9. Use will be from. 1 January to 31 December of each year.
Day and Month Day and Month

10. Use has been from. 1 January to 31 December of each year.
Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and
specifications of your diversion or storage works.) rock dam and pipe line
State manner in which water is to be diverted, whether by dam or other works,

whether through pipes, ditches, flumes, or other conduits.

12. Estimated cost of works.....\$5,000.00
13. Estimated time required to construct works.....3 years
14. Estimated time required to complete the application of water to beneficial use.....5 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared.....jw/bs.....bl/jv.....Applicant Cecil R. and May D. Martin

By.....s/ C. H. Ketcham Agent

Ketcham Land Surveyors

713 East Jackson - 773-6553

Medford, Oregon 97501

APPROVAL.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of Rose Creek as heretofore granted under Permit 28407 is issued subject to the terms and conditions imposed in said Permit 28407 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....4.0.....cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....May 28, 1979

Proof of commencement of work shall be filed before.....June 28, 1979

Work must be prosecuted with reasonable diligence and be completed on or before.....May 28, 1980

Proof of completion of work shall be filed before.....June 28, 1980

Application of water to beneficial use shall be made on or before.....September 17, 1981

Proof of the application of water to beneficial use shall be filed on or before.....October 17, 1981

Map in support of proof of beneficial use shall be filed on or before.....October 17, 1981

Commencement of work filed.....JUL 26 1979

Completion of work filed.....JUL 14 1980

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of NOVEMBER,

A.D. 1978

Robert D. Westergard
State Engineer